

## **Inventory Submission and Appeal Process**

OMB will review the submission and consult with agency officials concerning the inventory content. After the review and consultation, each agency shall provide a separate report listing only the agency's commercial civilian FTE. OMB will publish a notice in the Federal Register notifying interested parties that the inventory is available to the public. Also, under Section 3 of the FAIR Act, an agency's decision to include or exclude a particular activity from the commercial activities inventory is subject to administrative challenge and possible appeal by an interested party.

An interested party may submit a challenge to an executive agency within 30 working days after publication of OMB's notice stating that the inventory is available. USDA agencies that receive challenges to their inventory will have 28 working days from receipt of the challenge to respond. The response must be from the **agency head** of the USDA agency receiving the challenge and must contain a written notification of the decision along with a discussion of the rationale for the decision. Also, the response must explain the party's right to appeal and where to send the appeal. Please provide Barbara McNeal, of my staff, a copy of all challenges received by your agency and the decision. Ms. McNeal can be reached by telephone at (202) 720-0995 or by facsimile at (202) 690-1529.

Interested parties may appeal an adverse decision to an initial challenge within 10 working days after receiving a written notification of the agency's decision. Within 10 working days after the appeal is received, the **Office of the Chief Financial Officer** will decide the appeal and transmit to the individual or organization that filed the appeal a written notification of the decision, together with a discussion of the rationale for the decision.

**All appeals must be sent to Edward McPherson**, Chief Financial Officer, Room 143-W, Jamie L. Whitten Federal Building, and 1400 Independence Ave., SW, Washington, DC 20250. Mr. McPherson can be reached by facsimile at (202) 720-9997 and by electronic mail at [Emcpherson@cfo.usda.gov](mailto:Emcpherson@cfo.usda.gov).